HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 885 (S/B) of 2001

Sri Kant Singh S/o Sri Dharam Vir Singh,
And seven others. … Petitioners

Vs.

State of U.P. through the Chief Secretary,
Govt. of U.P. Lucknow,
And two others. … Respondents.

Sri B.D. Upadhyay, learned counsel for the petitioners,
Sri B.B. Verma, learned Standing Counsel for the State of U.P.,
Sri N.B. Tewari, learned Chief Standing Counsel for the Uttaranchal,
Sri S.S. Adhikari, learned Senior Standing Counsel for Union of India,

Hon'ble M.M. Ghildiyal, J.

Hon'ble Rajesh Tandon, J.

Heard Sri B.D. Upadhyay, learned counsel for the petitioners and Sri N.B. Tewari, learned C.S. C. for the State of Uttaranchal, Sri B.S. Verma, learned Standing Counsel for the State of U.P. & S.S. Adhikari, learned Senior Standing Counsel for Union of India.

By means of this writ petition, the petitioner have prayed for the issue of a writ, order or direction in the nature of Certiorari to quash the order dated 11.09.2001 passed by the respondent no. 3-Union of India, further with a prayer to issue a writ, order or direction in the nature of mandamus directing the respondents to accept the options submitted by the petitioners for the State of U.P. in accordance with law and accommodate them in Uttar Pradesh in corresponding cadre.

Learned counsel for the petitioner has submitted that Division Bench of this Hon'ble Court on 25th March 2004 in W.P. No. 4446 (S/S) 2001 Ashok Kumar & others vs. State & others alongwith bunch of writ petition has resolved the same controversy raised by the petitioners and the case of the present petitioners is squarely covered by the decision of the Division Bench of this Court, therefore, this writ petition may be disposed of in terms of the writ petition no. 4446 (S/S) 2001.

In view of the aforesaid statement, the writ petition no. 885 (S/B) 2001 is decided in terms of the writ petition no. 4446 (S/B) 2001 decided on 25th March 2004.

(Rajesh Tandon, J.) **(M.M. Ghildiyal,J.)**

June 8, 2004:
NCM: